

United States Senate

WASHINGTON, DC 20510

May 25, 2017

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear President Trump:

We have been encouraged by the steps you have taken to reduce the regulatory burdens facing this country. From your many Executive Orders to the signing of 14 laws rolling back regulations from the previous Administration, it is clear you share our commitment to reducing the regulatory burden our businesses face in order to create jobs and grow the economy.

One of the most important executive orders you signed is EO 13783, *Promoting Energy Independence and Economic Growth*, wherein, among other things, you instruct the Environmental Protection Agency (EPA) to unwind President Obama's Clean Power Plan regulations.

We applaud this objective and encourage you to take every action necessary to ensure it is accomplished.

A key risk to fulfilling this objective is remaining in the Paris Agreement. Because of existing provisions within the Clean Air Act and others embedded in the Paris Agreement, remaining in it would subject the United States to significant litigation risk that could upend your Administration's ability to fulfill its goal of rescinding the Clean Power Plan. Accordingly, we strongly encourage you to make a clean break from the Paris Agreement.

Section 115 of the Clean Air Act addresses the regulatory steps the United States must take to address International Air Pollution. EPA and state government regulatory action of a pollutant are mandated after two tests are met: (1) a finding is established that a pollutant from the U.S. is endangering the public health or welfare of another country; and (2) it is determined that the endangered country gives the U.S. the same rights to prevent or control pollution from that country.

Under the previous Administration, EPA issued an endangerment finding for greenhouse gases and then pursued the Clean Power Plan. Many environmentalists already believe that this finding is broad enough to meet the endangerment test under Section 115, and they would certainly make this argument in court as they fight your efforts to rescind the Clean Power Plan rulemaking.

Environmentalists will argue that these Section 115 requirements are, in fact, met more easily by the Paris Agreement because it includes enhanced transparency requirements in Article 13, which establishes a process for nations to submit plans to reduce emissions to one another and then to comment on the plans of one another.

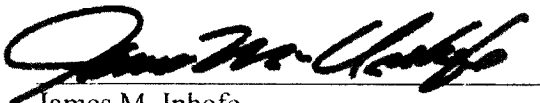
Leading environmental attorneys have been candid that they intend to use the Paris Agreement and the existing endangerment finding to force EPA to regulate under Section 115 of the Clean Air Act.

David Bookbinder, formerly Chief Counsel of the Sierra Club, stated that together the Paris Agreement and Section 115 are the "silver bullet de jour of the enviros." And their intent to use it is real. New York and Vermont Attorneys General recently wrote to their colleagues that "states must still play a critical role in ensuring that the promises made in Paris become a reality." With statements like this, it is clear that those advocating for greenhouse gas regulations will use the Paris Agreement as a legal defense against your actions to rescind the Clean Power Plan if you decide to remain in the Paris Agreement. This is why it is so important for you to make a clean exit from the Agreement.

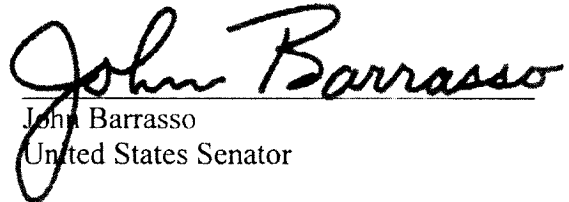
We understand that some officials inside your Administration want to remain in the Paris Agreement to keep a seat at the table so that the U.S. continues to have a voice in future discussions. Fortunately, a clean exit from the Paris Agreement will not take this away. The Senate gave its consent to the United Nations Framework Convention on Climate Change (UNFCCC) in 1992; this treaty provides a permanent seat at the table for the United States to engage with other countries each year at the Conferences of Parties (COP). In fact, it was through an annual COP meeting in Paris that the Paris Agreement was signed. This permanent seat at the table enabled President Obama to negotiate this deal; this seat remains and will enable you to continue discussions with other nations on this topic should you choose to do so.

Again, we applaud you for your ongoing efforts to reduce overregulation in America. To continue on this path, we urge you to make a clean exit from the Paris Agreement so that your Administration can follow through on its commitment to rescind the Clean Power Plan.

Sincerely,



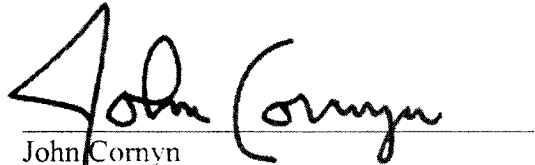
James M. Inhofe
United States Senator



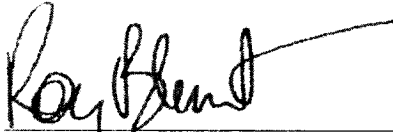
John Barrasso
United States Senator



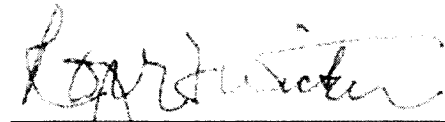
Mitch McConnell
United States Senator



John Cornyn
United States Senator



Roy Blunt
United States Senator



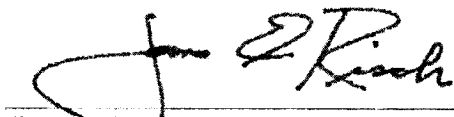
Roger Wicker
United States Senator



Michael B. Enzi
United States Senator



Michael D. Crapo
United States Senator

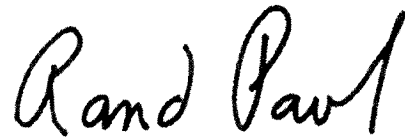



Jim Risch
United States Senator

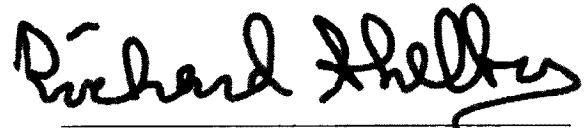


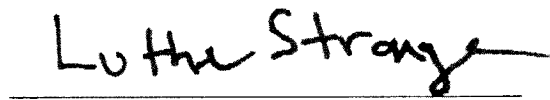
Thad Cochran
United States Senator

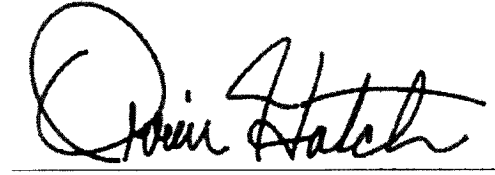

M. Michael Rounds
United States Senator



Rand Paul
United States Senator

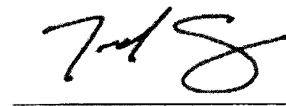

John Boozman
United States Senator


Richard C. Shelby
United States Senator

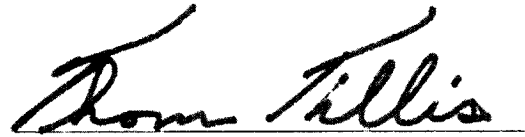

Luther Strange
United States Senator

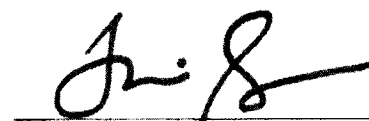

Orrin G. Hatch
United States Senator



Mike Lee
United States Senator


Ted Cruz
United States Senator


David Perdue
United States Senator


Thom Tillis
United States Senator


Tim Scott
United States Senator


Pat Roberts
United States Senator

MITCH McCONNELL
KENTUCKY

317 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510-1702
(202) 224-2541

United States Senate

MAJORITY LEADER
COMMITTEES
AGRICULTURE
APPROPRIATIONS
RULES AND ADMINISTRATION

August 1, 2017

The Honorable Scott Pruitt
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, D.C. 20460-0003

Dear Administrator Pruitt:

Recently my constituent, Mr. (b) (6) contacted my office regarding the Environmental Protection Agency's (EPA) technical assistance and training programs for water and wastewater professionals in Kentucky.

As you know, the EPA plays an integral role in assisting rural water systems with the many challenges associated with providing affordable and safe water to my constituents. On May 4, 2017, Congress passed, and I voted for the Fiscal Year (FY) 2017 Consolidated Appropriations Act. As you may know, this legislation includes report language directing the EPA to award \$11 million in grants to qualified not-for profit organizations for the purpose of providing on-site training and technical assistance for water systems. It is my understanding that the EPA has yet to act on this Congressional directive.

For your reference, I have enclosed a copy of Mr. (b) (6)'s correspondence, which provides further information regarding the impact of rural water programs in Kentucky. Consistent with applicable Senate rules and federal ethics statutes, I would greatly appreciate your timely review and response to the status of these important EPA programs.

Thank you for your consideration of this matter. I look forward to your prompt reply, which I may share with my constituent.

Sincerely,



MITCH McCONNELL
UNITED STATES SENATOR

MM/qs

Enclosure



Kentucky Rural Water Association

Helping water and wastewater utilities help themselves

July 20, 2017

Senator Mitch McConnell
317 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator McConnell:

On behalf of the 375 utility members of the Kentucky Rural Water Association (KRWA), we are writing to thank you for your support of our programs in past years. As you know, these grassroots environmental programs benefit many communities, large and small, in Kentucky by providing unparalleled training and technical assistance to water and wastewater professionals who work for our public utilities.

We respectfully request your assistance by contacting and encouraging EPA Administrator Scott Pruitt, to use the Congressional directives in PL 114-98 in allocating the \$12.7 million in technical assistance funding in the FY 2017 EPA appropriations bill. We are optimistic this would result in the return of EPA funded on-site assistance to Kentucky, similar to the pre-2012 levels (two full-time positions). Currently, Kentucky is operating on less than one full-time equivalent position.

In 2011 – Congress gave EPA discretion over the allocation of technical assistance funding. Over the last five years, EPA has used its discretion to reduce effective on-site technical assistance to small and rural communities in Kentucky by 72% and eliminate all full-time, in-the-field trainers and technicians.

To correct this problem, Congress enacted a new law (PL 114-98) that mandates that EPA prioritize Congressional funding to the most beneficial assistance for small and rural communities. EPA's fiscal year 2017 appropriations bill included \$12.7 million for this initiative and provides EPA with the option of dedicating this funding to PL 114-98.

We believe that if the Administrator chooses to dedicate the Congressional funding to PL 114-98, Kentucky would see the return of the two in-the-field trainers and technicians that were terminated in fiscal year 2011 by EPA. Attached is a June 9, 2017, letter from six U.S. Senators to the EPA Administrator urging him to take this action.

Your continued support is invaluable to the enhancement of rural communities in Kentucky. If we can ever provide assistance to your office on matters related to water and wastewater issues, please contact the office at (b) (6).

Sincerely,

(b) (6)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

AUG 29 2017

The Honorable Mitch McConnell
United States Senate
Washington, D.C. 20510

OFFICE OF WATER

Dear Senator McConnell:

Thank you for your August 1, 2017, letter to the U.S. Environmental Protection Agency regarding technical assistance funding for small and rural communities. In your letter, you also enclosed a letter to your office from (b) (6), the Executive Director of the Kentucky Rural Water Association. We hope the information below is helpful to your office as it responds to (b) (6).

More than 97 percent of the nation's 151,000 public water systems serve fewer than 10,000 people, and more than 81 percent of these systems serve fewer than 500 people. Many small systems face unique challenges in providing reliable drinking water and wastewater services that meet federal and state regulations, including a lack of financial resources, aging infrastructure, and high staff turnover.

Technical assistance providers are critical partners in supporting drinking water and wastewater systems and protecting public health and the environment. Onsite technical assistance helps small and rural communities build the technical, managerial and financial capacity necessary to effectively operate drinking water and wastewater systems and to comply with regulations.

My office administers the Training and Technical Assistance for Small Systems Grant. The recipients of this grant funding are nonprofit organizations that provide training and technical assistance to improve operations and management practices, promote system sustainability, and better protect public health and the environment. Since 2009, the EPA has provided \$95 million in technical assistance grants to assist small drinking water and wastewater systems and private well owners. President Trump signed the fiscal year 2017 Consolidated Appropriations Act on May 5. This summer, the EPA will publish a Request for Applications (RFA) for the funds appropriated in the Act, \$12.7 million, to fund the small system grants for fiscal year 2017. The EPA will use its authority under the Safe Drinking Water Act, as amended by the Grassroots Rural and Small Community Water Systems Assistance Act, to grant funds through the RFA non-profit organization process to provide effective technical assistance for small and rural water systems.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Matt Klasen in the EPA's Office of Congressional and Intergovernmental Relations at Klasen.Matthew@epa.gov or (202) 566-0780.

Sincerely,

A handwritten signature in black ink, which appears to read "Michael Shapiro".

Michael H. Shapiro
Acting Assistant Administrator